

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Stephen A. Cozen, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haeefe, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

November 9, 2018

The Honorable Sarah Netburn, U.S. Magistrate Judge
United States District Court for the S.D.N.Y.
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

The Plaintiffs' Executive Committees ("PECs"), with the agreement of Dr. Abdullah Naseef, Dr. Abdullah Al-Turki, Dr. Abdullah Al-Obaid, Adnan Basha, and Soliman Al-Buthe ("the Charity Officials"), write to advise the Court of their agreement regarding the value of fees and costs to be imposed on the Charity Officials pursuant to the Court's sanctions order dated July 6, 2018 (ECF No. 4043). In that Order, Your Honor ordered the Charity Officials to pay reasonable attorneys' fees and costs, ordered the parties to meet and confer to agree on the reasonable value of fees and costs, and ordered the parties to file a joint status letter indicating whether the parties reached agreement. *Id.*, see also ECF Nos. 4129, 4203 (extending the deadline for submitting the letter).

Although the parties identified substantial disagreement in the meet and confer process—*e.g.*, disagreement about the time period and the tasks the Court would consider, and whether counsel's current standard rates or rates applied in 2015 should apply—the parties have agreed on a compromise to avoid the Court having to address the issue. Recognizing the range of issues that are already requiring the Court's attention, the parties have agreed to propose that the Court impose a flat rate sanction of \$25,000.00 jointly and severally on the five Charity Defendants.

A stipulated order accompanies this letter for Your Honor's consideration and signature if you agree with the proposed approach.

The Honorable Sarah Netburn
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Respectfully submitted,

COZEN O'CONNOR

MOTLEY RICE LLC

By: /s/ Sean P. Carter
SEAN P. CARTER
For the Plaintiffs Exec. Committees

By: /s/ Robert T. Haeefe
ROBERT T. HAEFELE
For the Plaintiffs Exec. Committees

KREINDLER & KREINDLER LLP

By: /s/ James P. Kreindler
JAMES P. KREINDLER
For the Plaintiffs Exec. Committees

Enclosure

cc: The Honorable George B. Daniels, via ECF
Alan Kabat, via electronic mail
Waleed Naseef, via electronic mail
Aisha Bembry, via electronic mail
All Counsel of Record via ECF